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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

A.M., an individual,

Case No. 3:21-cv-01674-MO

Plaintiff,

v.

**DEFENDANT OMEGLE.COM LLC'S
NOTICE OF SUPPLEMENTAL
AUTHORITY RE: MOTION TO
DISMISS PLAINTIFF'S SECOND
AMENDED COMPLAINT PURSUANT
TO FED. R. CIV. P. 12(b)(6)**

OMEGLE.COM LLC,

Defendant.

Defendant Omegle.com LLC respectfully submits the decision issued by the United States Court of Appeals for the Ninth Circuit on October 24, 2022, in the case of *Does v. Reddit, Inc.*, No. 21-56293, 2022 U.S. App. LEXIS 29510 (9th Cir. Oct. 24, 2022) – a copy of which is attached hereto as **Appendix A** – as supplemental authority in support of Omegle's pending

Motion to Dismiss Plaintiff’s Second Amended Complaint (“SAC”) (Dkt. 49), and specifically, Plaintiff’s claim for alleged violation of the Trafficking Victims Protection Act (“TVPA”).

The Ninth Circuit’s decision in *Reddit* (1) confirms the Court’s prior ruling that to state a TVPA claim that escapes Section 230’s bar, a plaintiff must plausibly allege that the defendant-website’s own alleged conduct constitutes a violation of 15 U.S.C. § 1591, and (2) states the type of knowing participation in, and benefit from, the alleged sex trafficking venture that a plaintiff must plausibly allege to state a TVPA claim against a website. *See Reddit*, 2022 U.S. App. LEXIS 29510 at *18, 19-22. These points are relevant to arguments made in Omegle’s pending Motion to Dismiss. (*See* Dkt. 49 at 15-22; Dkt. 57 at 10-17.)

Dated this 25th day of October, 2022.

Respectfully submitted,

FOCAL PLLC

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